

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case Nos. 3:19-cr-0009
)	
SHAWN BERNARD TYSON and)	
NATASHA NATILE FRANCE,)	
)	
Defendants.)	
)	

ORDER

THIS MATTER came before the Court for sentencing hearings held on October 7, 2020. At those hearings, the United States (“Government”) argued that the firearms relevant to this case qualified as semiautomatic firearms under U.S.S.G. § 2K2.1(a)(4)(B)(I). In the alternative, the Government also argued that the firearms qualified as rifles under 26 U.S.C. § 5845(a) and thus, a base offense level of 20 is warranted in this case under USSG § 2K2.1(a)(4)(B)(II). Defendant Tyson requested a continuance to provide the Court with supplemental briefing on the firearms issue. The parties also requested the opportunity to brief the Court on the issues of relevant conduct and concurrent versus consecutive sentencing.¹

The premises considered, it is hereby

ORDERED that, **no later than October 21, 2020**, Defendant Tyson shall file a supplemental brief addressing the following three issues: (1) the extent to which the Court should consider relevant conduct regardless of whether the Defendant was acquitted of such conduct; (2) whether the Court should impose any sentence in this matter concurrently or consecutively, pursuant to U.S.S.G. § 5G1.2; and (3) whether any of the firearms relevant to this case qualify as a rifle under 26 U.S.C. § 5845(a) and U.S.S.G. § 2K2.1(a)(4)(B)(II). Defendant France shall be permitted to participate in this briefing schedule to the extent that she wishes to do so; it is further

¹ Pursuant to Local Rules, briefs may not exceed twenty pages in length. LRCi 7.1(d).

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ORDERED that, **no later than October 26, 2020**, the Government shall file a response to Defendant Tyson's brief; it is further

ORDERED that there shall be no further briefing unless authorized by the court; and it is further

ORDERED that the sentencing hearings in this matter, which commenced on October 7, 2020, are hereby **SCHEDULED** to resume promptly at 10:00 A.M. on October 30, 2020.

Dated: October 9, 2020

s/ Robert A. Molloy
ROBERT A. MOLLOY
District Judge